

**AN ORDINANCE 2006 - 01 - 12 - 72**

**AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.**

\* \* \* \* \*

**WHEREAS**, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

**WHEREAS**, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of Parcel 19, NCB 17930 from "R-6" Residential Single-Family District to "C-2" (CD-Auto and Truck Repair) Commercial District with a Conditional Use for a Auto and Truck Repair.

**SECTION 2.** The City Council finds as follows:

- A.** The conditional use will not be contrary to the public interest.
- B.** The conditional use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C.** The conditional use will be in harmony with the spirit and purpose for conditional uses as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- D.** The conditional use will not substantially weaken the general purposes of the regulations as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- E.** The conditional use will not affect adversely the public health, safety and welfare.

**SECTION 3.** All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

**SECTION 4.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 5.** This ordinance shall become effective immediately upon passage if passed by eight or more votes otherwise this ordinance shall become effective January 22, 2006.

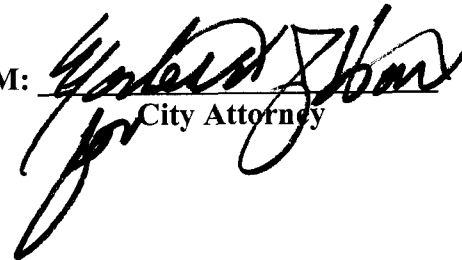
**PASSED AND APPROVED** this 12<sup>th</sup> day of January, 2006.



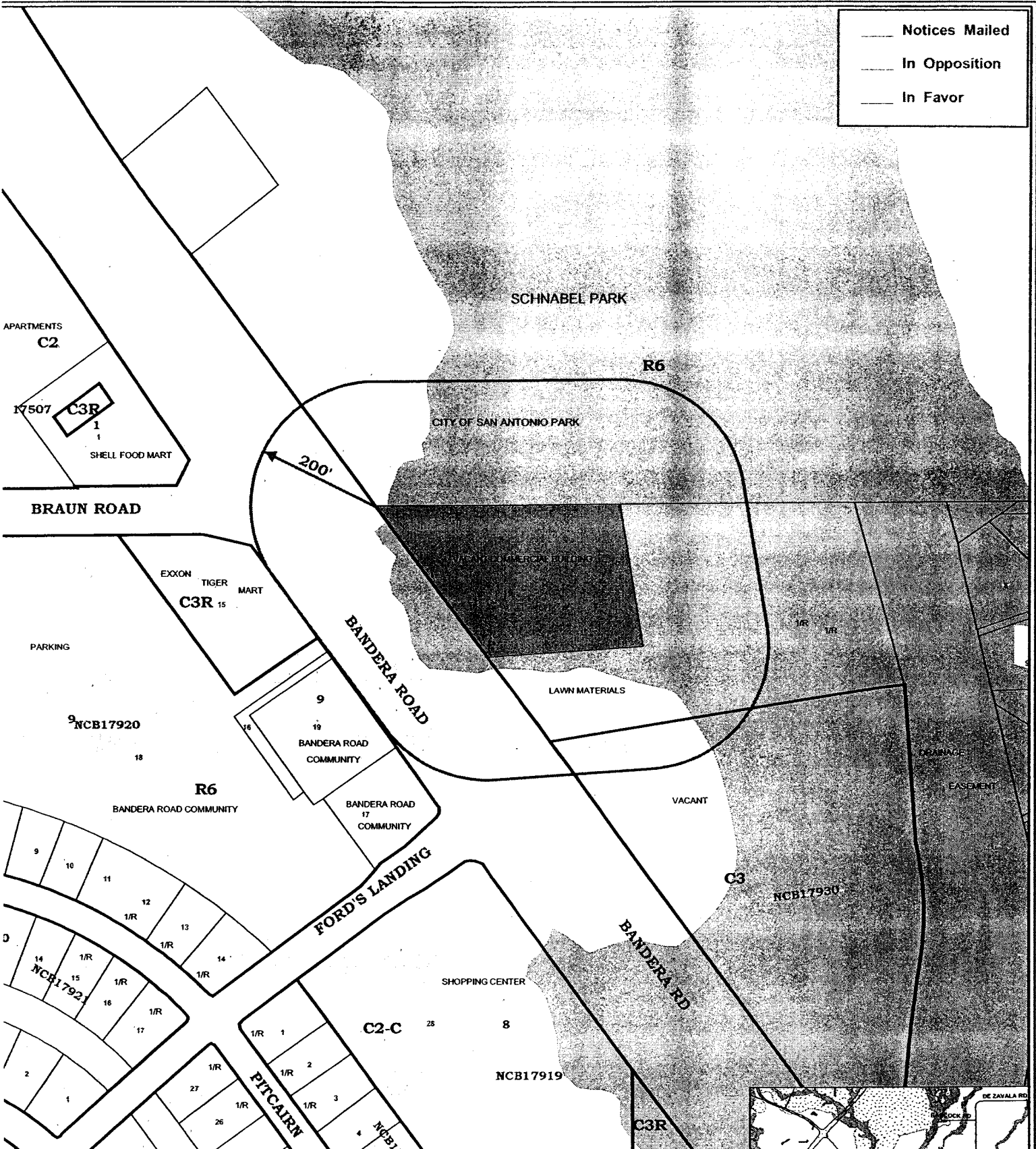
M A Y O R

PHIL HARDBERGER

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
City Attorney

\_\_\_\_\_ Notices Mailed  
 \_\_\_\_\_ In Opposition  
 \_\_\_\_\_ In Favor



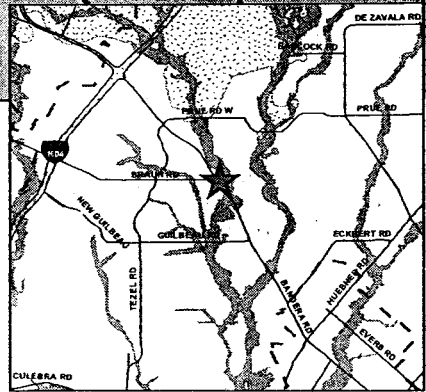
# **ZONING CASE: Z2005-281 CD**

City Council District No. 8  
 Requested Zoning Change  
 From "R-6" To "C-2" CD  
 Date: January 12, 2006  
 Scale: 1" = 200'

■ Subject Property  
 ○ 200' Notification



C:\Dec\_6\_2005



# CASE NO: Z2005281 CD

## Staff and Zoning Commission Recommendation - City Council

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**Date:** January 12, 2006

**Zoning Commission Meeting Date:** December 20, 2005

**Council District:** 8

**Ferguson Map:** 547 D6

**Applicant:**

David Mitchell

**Owner:**

Dennie Berry Jr.

**Zoning Request:** From "R-6" Residential Single-Family District to "C-2" (CD- Auto and Truck Repair) Commercial District with a Conditional Use for a Auto and Truck Repair

Parcel 19, NCB 17930

**Property Location:** 9444 Bandera Road

Northeast side of Bandera Road

**Proposal:** Automotive repair and part sales

**Neighborhood Association:** None

**Neighborhood Plan:** Huebner/ Leon Creeks Community Plan

**TIA Statement:** A Traffic Impact Analysis is not required

**Staff Recommendation:**

Consistent

The Huebner/ Leon Creeks Community Plan designates this parcel as Community Commercial.

**Approval**

The subject property has an existing commercial building and located on Bandera Road a major thoroughfare. The subject property is adjacent to "R-6" Residential Single-Family District to the east, south and to the north (City Park) with "C-3" General Commercial District across Bandera Road to the west. The "C-2" Commercial District permit general commercial activities designed to serve the community. Single-Family dwellings are not appropriate because of the volume of traffic on Bandera Road. The requested rezoning is consistent with the development pattern along Bandera Road.

The applicant (Summit Automotive, Inc.) is currently located at 7120 Bandera Road. The subject property was formerly the site of a plant nursery (Lawns of Beauty, Inc.)

**Zoning Commission Recommendation:**

Approval

**VOTE**

FOR	7
AGAINST	1
ABSTAIN	0
RECUSAL	0

**CASE MANAGER :** Pedro Vega 207-7980

**Z2005281 CD**

**ZONING CASE NO. Z2005281 CD – December 20, 2005**

Applicant: David Mitchell

Zoning Request: "R-6" Residential Single-Family District to "C-2" (CD-Auto and Truck Repair) Commercial District with a Conditional use for a Auto and Truck Repair.

Bob Jones, 7310 Blanco, representing the applicant, stated that the property owner proposes to use the property for an auto repair and auto parts sales. He noted that they will have retail sales of new auto parts.

Staff stated there were 8 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

**FINDING OF CONSISTENCY OF THE MASTER PLAN**

**COMMISSION ACTION**

The motion was made by Commissioner Gray and seconded by Commissioner Avila to find consistency with the neighborhood plan.

**AYES: Martinez, Robbins, Rodriguez, Avila, Gray, McAden, Kissling**

**NAYS: Sherrill**

**THE MOTION CARRIED.**

**COMMISSION ACTION**

The motion was made by Commissioner Gray and seconded by Commissioner Avila for approval of "C-2" (CD-Auto and Truck Repair) Commercial District with a Conditional Use for an Auto and Truck Repair.

1. Property is located on P-19, NCB 17930 at 9444 Bandera Road.
2. There were 8 notices mailed, 0 returned in opposition and 1 in favor.
3. Staff recommends approval.

**AYES: Martinez, Robbins, Rodriguez, Sherrill, Avila, Kissling, Gray**

**NAYS: None**

**Z2005281 CD**

**THE MOTION CARRIED**

**RESULTS OF NOTICE FOR COUNCIL HEARING**

**To be provided at Council hearing.**